

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

JOYCE N. SATCHER,

Civil No. C05-5158-FDB

Plaintiff,

vs.

JO ANNE B. BARNHART,
Commissioner of Social Security,

ORDER

Defendant

Based on the stipulation of the parties it is hereby ORDERED that the above-captioned case be remanded for further administrative proceedings, including a new hearing. Upon remand, the Administrative Law Judge (ALJ) will further evaluate the severity of Plaintiff's mental impairment. In doing so, the ALJ will further consider all of the evidence, including the opinion of Nichol T. Iverson, M.D. The ALJ will consider Dr. Iverson's opinions in the context of Social Security Ruling 96-2p, and accord his opinions appropriate weight. The ALJ will also re-evaluate the credibility of Plaintiff's subjective complaints, taking into account the lay witnesses' statements. If the ALJ rejects any statement of a lay witness, he must provide reasons germane to

each witness whose statements he rejects. Due to the remoteness of the period at issue, the ALJ should obtain testimony from a medical expert to assist the ALJ in assessing the nature and severity of Plaintiff's mental impairment, and any limitations therefrom.

This Court hereby reverses the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) with a remand of the cause to the Commissioner for further proceedings. See Melkonyan v. Sullivan, 501 U.S. 89 (1991).

DATED this 28th day of July 2005.



FRANKLIN D. BURGESS

UNITED STATES DISTRICT JUDGE

Recommended for Entry:

s/Karen L. Strombom
UNITED STATES MAGISTRATE JUDGE

Presented by:

s/ CAROL A. HOCH WSB # 9289
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